

EXHIBIT 11

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

**IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION**

This document relates to:

TRACK THREE CASES

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

DECLARATION OF MICHAEL E. ELSNER

1. I am a partner at the law firm of Motley Rice LLC and counsel for Plaintiffs' in the above-captioned case.

2. On December 3, 2020, a supervised meet and confer was held with Special Master Cohen, Defendants, Plaintiffs and the Department of Justice to discuss the parties requests for authorization to conduct depositions of current and former DEA employees.

3. Unfortunately, there is not a recording or a transcript of the meet and confer.

4. I personally participated in that meet and confer.

5. To the best of my memory and belief, during the meet and confer, Eric Delinsky, counsel for CVS, argued to Special Master Cohen that the Defendants should not be limited to a 30(b)(6) deposition. Instead, counsel should be permitted to conduct fact depositions of DEA employees that they select. Plaintiffs, he argued, selected Joseph Rannazzisi's as a fact witness and Defendants should be entitled to select a fact witnesses of their choosing.

6. To ensure my memory was correct, I confirmed that the statement was made with Linda Singer of Motley Rice who was also on the meet and confer.

7. The PEC's payments to Mr. Rannazzisi have been *de minimis* and comprise a few thousand dollars paid for provision of background information to the MDL court during the 2018

“science day” and reimbursement for travel expenses for CT1 and CT2 trial and deposition testimony.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 30th day of August, 2021



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